

CLOSED

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U.S. District Court
Western District of Texas (San Antonio)

2006 JAN 17 A 9:42

CRIMINAL DOCKET FOR CASE #: 01-CR-589-ALL

USA v. Blevins
Dkt# in other court: None

Filed: 11/07/01

DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

Case Assigned to: Honorable Orlando L. Garcia

CHARLES ANTHONY BLEVINS (1) Chris K. Gober
defendant 210/224-5890

[COR LD NTC ret]
Nicholas & Barrera
424 E. Nueva Street
San Antonio, TX 78205
(210) 224-5811

Anthony Nicholas, Jr.
210/224-5890
[COR LD NTC ret]
Nicholas and Barrera, PC
424 E. Nueva
San Antonio, TX 78205
(210) 224-5811

Pending Counts:

Disposition

18:1341.F FRAUDS AND SWINDLES 12 months and one day
(Mail Fraud) imprisonment, 3 years
(1ss) supervised release, no
fine, \$100 special assessment,
\$112,772.59 restitution.
(1ss)

Offense Level (opening): 4

Terminated Counts:

Disposition

18:1341.F FRAUDS AND SWINDLES Dismissed counts on Govt's
(Mail Fraud) motion.
(1 - 13) (1 - 13)

18:1341.F FRAUDS AND SWINDLES Dismissed counts on Govt's
(Mail Fraud) motion.
(1s - 13s) (1s - 13s)

18:1341.F FRAUDS AND SWINDLES Dismissed counts on Govt's
(Mail Fraud) motion.
(2ss - 13ss) (2ss - 13ss)

Docket as of January 12, 2006 8:52 am

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18:1956-3300.F MONEY Dismissed counts on Govt's
LAUNDERING - INTERSTATE motion.
COMMERCE (Money (14s - 20s)
Laundering)
(14s - 20s)

18:1956-3300.F MONEY Dismissed counts on Govt's
LAUNDERING - INTERSTATE motion.
COMMERCE (14ss - 20ss) (14ss - 20ss)

Offense Level (disposition): 4

Complaints:

NONE

U. S. Attorneys:

William R. Harris
210/530-6180
[COR LD NTC]
Assistant United States
Attorney
601 NW Loop 410, #600
San Antonio, TX 78216-5512
(210) 384-7150

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- 11/7/01 -- Case assigned to Honorable Orlando L. Garcia. (cw)
[Entry date 11/08/01]
- 11/7/01 1 Indictment filed against Charles Anthony Blevins. Charles Anthony Blevins (1) count(s) 1-13. (Pages: 18) (cw)
[Entry date 11/08/01]
- 11/7/01 1 Notice of Forfeiture as to Charles Anthony Blevins is contained in Indictment. (cw) [Entry date 11/08/01]
- 11/7/01 2 Order Bench warrant issued for Charles Anthony Blevins. (cw)
[Entry date 11/08/01]
- 11/7/01 -- Bench warrant issued for Charles Anthony Blevins (cw)
[Entry date 11/08/01]
- 11/7/01 3 Letter request that both this case and SA-01-CA-180 are related and that this case be assigned to the same judge, Honorable Judge Orlando L. Garcia - submitted by USA as to Charles Anthony Blevins. (cw) [Entry date 11/08/01]
- 11/8/01 -- Arrest of Charles Anthony Blevins. (cw)
[Entry date 11/09/01]
- 11/8/01 -- Defendant(s) Charles Anthony Blevins first appearance held. Defendant informed of rights. (cw) [Entry date 11/09/01]
- 11/8/01 4 Order bond set: Bond set to \$25,000 UNSECURED for Charles Anthony Blevins. (cw) [Entry date 11/09/01]
- 11/8/01 5 Bond filed: \$25,000 UNSECURED for Charles Anthony Blevins (cw) [Entry date 11/09/01]
- 11/8/01 6 Waiver of personal appearance at arraignment and entry of plea not guilty by Charles Anthony Blevins (1) count(s) 1-13 (cw) [Entry date 11/09/01]
- 11/14/01 7 Bench warrant returned executed for Charles Anthony Blevins on 11/8/01. (cw) [Entry date 11/15/01]
- 11/19/01 8 Motion by Charles Anthony Blevins with memorandum in support for bill of particulars (rg) [Entry date 11/20/01]
- 11/19/01 9 Motion by Charles Anthony Blevins to extend time within which to file pretrial motions (rg) [Entry date 11/20/01]
- 11/19/01 10 Motion by Charles Anthony Blevins with memorandum in support for early production of Jencks Material (rg)
[Entry date 11/20/01]
- 11/19/01 11 Motion by Charles Anthony Blevins in limine ["Other Crimes" and Uncharged Misconduct](Rule 103,104,403,404(b) and 609 (rg) [Entry date 11/20/01]

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- 11/19/01 12 Motion by Charles Anthony Blevins for discovery of facts and data related to expert opinion testimony (rg) [Entry date 11/20/01]
- 11/19/01 13 Motion by Charles Anthony Blevins with memorandum in support to compel disclosure of U.S. Attorney's jury selection data (rg) [Entry date 11/20/01]
- 11/19/01 14 Motion by Charles Anthony Blevins for disclosure of information regarding confidential informant(s) (rg) [Entry date 11/20/01]
- 11/20/01 15 Motion by Charles Anthony Blevins for disclosure of exculpatory evidence (kc1) [Entry date 11/21/01]
- 11/20/01 16 Motion by Charles Anthony Blevins for discovery and inspection (kc1) [Entry date 11/21/01]
- 12/5/01 17 Response by USA to motion by Charles Anthony Blevins : motion for discovery and inspection [16-1], motion for disclosure of exculpatory evidence [15-1] (rg1) [Entry date 12/06/01]
- 12/5/01 18 Consolidated Response by USA to motion by Charles Anthony Blevins : motion for disclosure of information regarding confidential informant(s) [14-1], motion to compel disclosure of U.S. Attorney's jury selection data [13-1], motion for discovery of facts and data related to expert opinion testimony [12-1], motion in limine ["Other Crimes" and Uncharged Misconduct](Rule 103,104,403,404(b) and 609 [11-1], motion for early production of Jencks Material [10-1], motion to extend time within which to file pretrial motions [9-1], motion for bill of particulars [8-1] (rg1) [Entry date 12/06/01]
- 12/10/01 19 General Order of Discovery as to Charles Anthony Blevins. (cw) [Entry date 12/11/01]
- 12/10/01 19 Scheduling order as to Charles Anthony Blevins setting; Plea agreement to be submitted on or before 1/18/02; Jury trial set for 9:00 1/28/02; Jury Selection set for 9:00 1/28/02. (cw) [Entry date 12/11/01]

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12/10/01 -- Mooted motions as to Charles Anthony Blevins motion for discovery and inspection [16-1] as to Charles Anthony Blevins (1), motion for disclosure of exculpatory evidence [15-1] as to Charles Anthony Blevins (1), motion for disclosure of information regarding confidential informant(s) [14-1] as to Charles Anthony Blevins (1), motion to compel disclosure of U.S. Attorney's jury selection data [13-1] as to Charles Anthony Blevins (1), motion for discovery of facts and data related to expert opinion testimony [12-1] as to Charles Anthony Blevins (1), motion in limine ["Other Crimes" and Uncharged Misconduct](Rule 103,104,403,404(b) and 609 [11-1] as to Charles Anthony Blevins (1), motion for early production of Jencks Material [10-1] as to Charles Anthony Blevins (1), motion for bill of particulars [8-1] as to Charles Anthony Blevins (1) (Per General Order - Docket No. 19) (cw) [Entry date 12/11/01]

1/9/02 20 Unopposed Motion by Charles Anthony Blevins to certify this case as complex and to continue trial setting and all related hearings and deadlines (rg) [Entry date 01/10/02]

1/30/02 21 Order as to Charles Anthony Blevins granting motion to certify this case as complex and to continue trial setting and all related hearings and deadlines [20-1] as to Charles Anthony Blevins (1) resetting scheduling order deadlines: Plea agreement to be submitted on or before 5:00 5/24/02; Jury trial set for 9:00 6/24/02 , resetting Jury selection to 9:00 6/24/02 , order indicates continuance is granted in order to obtain or substitute counsel, or give counsel reasonable time to prepare (rg1) [Entry date 01/31/02]

5/23/02 22 Motion by USA as to Charles Anthony Blevins for continuance (cw) [Entry date 05/24/02]

5/28/02 23 Defendant's joinder in Government's Motion by Charles Anthony Blevins for continuance (cw) [Entry date 05/29/02]

6/3/02 24 Motion by Charles Anthony Blevins to suppress (Motion for Court to Carry Rule 41(e)F.R.Crim.P. as Motion to Suppress) (cw) [Entry date 06/04/02]

6/5/02 25 Superseding indictment as to Charles Anthony Blevins (1) count(s) 1s-13s, 14s-20s (Pages: 20) (cw) [Entry date 06/06/02]

6/5/02 25 Notice of Forfeiture as to Charles Anthony Blevins is contained in Superseding Indictment. (cw) [Entry date 06/06/02]

6/6/02 26 Order as to Charles Anthony Blevins set arraignment for 1:30 6/14/02 for Charles Anthony Blevins (cw) [Entry date 06/06/02]

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- 6/6/02 27 Order as to Charles Anthony Blevins granting motion for continuance [23-1] as to Charles Anthony Blevins (1), granting motion for continuance [22-1] as to Charles Blevins (1) scheduling order deadlines: Plea agreement to be submitted on or before 5:00 8/23/02 for Charles Anthony Blevins; Jury trial set for 9:00 9/16/02 for Charles Anthony Blevins, reset Jury selection for 9:00 9/16/02 for Charles Anthony Blevins, order indicates continuance is granted in order to obtain or substitute counsel, or give counsel reasonable time to prepare (cw) [Entry date 06/06/02]
- 6/13/02 28 Waiver of personal appearance at arraignment and entry of plea not guilty by Charles Anthony Blevins (1) count(s) 1s-13s, 14s-20s (cw) [Entry date 06/14/02]
- 7/17/02 29 Second Superseding indictment as to Charles Anthony Blevins (1) count(s) 1ss-13ss, 14ss-20ss (Pages: 20) (cw) [Entry date 07/18/02]
- 7/18/02 30 Order as to Charles Anthony Blevins set arraignment for 1:30 7/30/02 for Charles Anthony Blevins (cw) [Entry date 07/18/02]
- 7/19/02 31 Order as to Charles Anthony Blevins Motion to suppress hearing set for 9:00 8/21/02 as to: Charles Blevins, re: (24-1) (cw) [Entry date 07/22/02]
- 7/30/02 32 Waiver of personal appearance at arraignment and entry of plea not guilty by Charles Anthony Blevins (1) count(s) 1ss-13ss, 14ss-20ss. (cw) [Entry date 07/30/02]
- 8/7/02 33 Motion by Charles Anthony Blevins for continuance (cw) [Entry date 08/08/02]
- 8/9/02 34 Order as to Charles Anthony Blevins Motion hearing on Motion to suppress set for 9:00 10/16/02 as to: Charles Blevins, re: (24-1) (kc1) [Entry date 08/12/02]
- 8/9/02 35 Order as to Charles Anthony Blevins granting motion for continuance [33-1] as to Charles Anthony Blevins (1) reset scheduling order deadlines: Plea agreement to be submitted on or before 5:00 11/8/02 for Charles Anthony Blevins ; Jury trial set for 9:00 12/2/02 for Charles Anthony Blevins , reset Jury selection to 9:00 12/2/02 for Charles Anthony Blevins, order indicates continuance is granted in order to obtain or substitute counsel, or give counsel reasonable time to prepare (kc1) [Entry date 08/12/02]
- 10/3/02 36 Order as to Charles Anthony Blevins denying as moot motion to extend time within which to file pretrial motions [9-1] as to Charles Anthony Blevins (1). (cw)

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[Entry date 10/03/02]

- 10/11/02 37 Order as to Charles Anthony Blevins Motion to suppress hearing reset for 9:00 10/24/02 as to: Charles Blevins, re: (24-1) (cw) [Entry date 10/15/02]
- 10/23/02 38 ORDER as to Charles Anthony Blevins Motion to suppress hearing reset for 9:00 10/31/02 as to: Charles Blevins, (24-1) (rg) [Entry date 10/24/02]
- 10/30/02 39 Unopposed motion by Charles Anthony Blevins for continuance on Defendant's Motion to Suppress (cw) [Entry date 10/31/02]
- 11/22/02 40 Order as to Charles Anthony Blevins granting motion for continuance [39-1] as to Charles Anthony Blevins (1) set scheduling order deadlines: ; Plea agreement to be submitted on or before 5:00 1/30/03 for Charles Anthony Blevins ; Jury trial set for 9:00 2/24/03 for Charles Anthony Blevins, order indicates continuance is granted in order to obtain or substitute counsel, or give counsel reasonable time to prepare (cw) [Entry date 11/22/02]
- 11/22/02 41 Order as to Charles Anthony Blevins Motion to suppress hearing reset for 9:00 1/29/03 as to: Charles Blevins, re: (24-1) (cw) [Entry date 11/22/02]
- 1/15/03 42 Consent to administration of guilty/nolo plea and Rule 11 Allocution by a United States Magistrate Judge as to Charles Anthony Blevins. (cw) [Entry date 01/16/03]
- 1/15/03 42 Order of Referral to U.S. Magistrate on felony guilty/nolo plea as to Charles Anthony Blevins signed by Honorable Orlando L. Garcia. (cw) [Entry date 01/16/03]
- 1/17/03 43 Order as to Charles Anthony Blevins set arraignment 2:00 1/22/03 for Charles Anthony Blevins signed by Judge Pamela A. Mathy (cw) [Entry date 01/17/03]
- 1/17/03 44 Plea agreement filed as to Charles Anthony Blevins. (Count 1 of the Second Superseding Indictment) (cw) [Entry date 01/21/03]
- 1/22/03 45 Minutes of proceedings for Rearraignment conducted on 1/22/03 as to Charles Anthony Blevins by Judge Mathy. Court Reporter: Beverly Nolden. (cw) [Entry date 01/23/03]
- 1/22/03 -- Rearraignment as to Charles Anthony Blevins held. Defendant informed of rights. Defendant continued on present bond pending sentencing. Defendant orally consents to proceed with his guilty plea before a U.S. Magistrate Judge. (cw) [Entry date 01/23/03]
- 1/22/03 46 Waiver of Rule 32 time limits by Charles Anthony Blevins.

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(cw) [Entry date 01/23/03]

1/22/03 -- Plea of guilty entered by Charles Anthony Blevins (1) count(s) 1ss. (cw) [Entry date 01/23/03]

1/22/03 -- Referred to Probation for Pre-Sentence Report as to Charles Anthony Blevins. (cw) [Entry date 01/23/03]

1/22/03 47 Findings of Fact and Recommendation on felony guilty/nolo plea before the United States Magistrate Judge as to Charles Anthony Blevins Recommendation that the District Court accept the guilty plea. Mailed on 1/23/03 by certified mail or faxed if authorization is on file. (cw) [Entry date 01/23/03]

1/22/03 48 Order as to Charles Anthony Blevins set sentencing for 9:00 5/15/03 for Charles Anthony Blevins signed by Honorable Orlando L. Garcia (cw) [Entry date 01/23/03]

2/11/03 49 ORDER Accepting Magistrate Judge's Recommendation filed in this cause such that Defendant's guilty plea is ACCEPTED as to Charles Anthony Blevins signed by Honorable Orlando L. Garcia. (cw) [Entry date 02/12/03]

2/11/03 -- Guilty plea accepted by the court as to Charles Anthony Blevins (1) count(s) 1ss; Mooted Motions: motion to suppress (Motion for Court to Carry Rule 41(e)F.R.Crim.P. as Motion to Suppress) [24-1] as to Charles Anthony Blevins (1) (cw) [Entry date 02/12/03]

3/3/03 50 Motion by USA as to Charles Anthony Blevins for entry of a preliminary judgment of forfeiture, order for seizure and order to publish notice of preliminary judgment of forfeiture (cw) [Entry date 03/04/03]

3/6/03 51 PRELIMINARY JUDGMENT OF FORFEITURE, ORDER FOR SEIZURE AND ORDER TO PUBLISH NOTICE OF PRELIMINARY JUDGMENT OF FORFEITURE as to Charles Anthony Blevins granting motion for entry of a preliminary judgment of forfeiture, order for seizure and order to publish notice of preliminary judgment of forfeiture [50-1] as to Charles Anthony Blevins (1) signed by Honorable Orlando L. Garcia. (cw) [Entry date 03/07/03]

4/8/03 52 Warrant of arrest of property returned executed as to Chris K. Gober, Attorney at Law of process of "Signed Prelim./Judgment of Forf./Notice" on 3/26/03. (cw) [Entry date 04/08/03]

4/8/03 53 Warrant of arrest of property returned executed of "Property - \$5,119.22" of Signed Prelim. Judgment of Forf./Notice on 3/21/03. (cw) [Entry date 04/08/03]

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- 4/8/03 54 Warrant of arrest of property returned executed as to Property - \$35,133.21" of "Signed Prelim. Judgment of Forf./Notice on 3/21/03. (cw) [Entry date 04/08/03]
- 4/8/03 55 Warrant of arrest of property returned executed as to Property - \$\$,765.53" of Judgment of Forf./Notice on 3/21/03. (cw) [Entry date 04/08/03]
- 4/8/03 56 Warrant of arrest of property returned executed as to "Property - \$76,800.49" of Signed Prelim. Judgment of Forf./Notice on 3/21/03. (cw) [Entry date 04/08/03]
- 4/8/03 57 Warrant of arrest of property returned executed as to "Property - One 1967 Chevrolet Corvette" of Signed Prelim. Judgment of Forf./Notice on 3/21/03. (cw) [Entry date 04/08/03]
- 4/17/03 58 Motion by Charles Anthony Blevins for continuance of sentencing (cw) [Entry date 04/18/03]
- 4/18/03 59 Order as to Charles Anthony Blevins reset sentencing to 9:00 7/10/03 for Charles Anthony Blevins signed by Honorable Orlando L. Garcia (kc1) [Entry date 04/21/03]
- 4/18/03 -- Mooted motions as to Charles Anthony Blevins motion for continuance of sentencing [58-1] as to Charles Anthony Blevins (1) (kc1) [Entry date 04/21/03]
- 6/16/03 60 Warrant of arrest of property returned executed as to Publication on 5/29/03. (cw) [Entry date 06/16/03]
- 6/16/03 61 Warrant of arrest of property returned executed as to Diane Young, USMS on 5/29/03. (cw) [Entry date 06/16/03]
- 6/25/03 62 Order as to Charles Anthony Blevins reset sentencing for 9:00 9/18/03 for Charles Anthony Blevins signed by Honorable Orlando L. Garcia. (cw) [Entry date 06/26/03]
- 9/3/03 63 Order as to Charles Anthony Blevins reset sentencing for 9:00 12/4/03 for Charles Anthony Blevins signed by Honorable Orlando L. Garcia (cw) [Entry date 09/04/03]
- 11/14/03 64 Order as to Charles Anthony Blevins reset sentencing for 9:00 1/29/04 for Charles Anthony Blevins signed by Honorable Orlando L. Garcia (cw) [Entry date 11/17/03]
- 1/22/04 65 Unopposed Motion by Charles Anthony Blevins to continue (cw) [Entry date 01/23/04]
- 1/22/04 66 Order as to Charles Anthony Blevins granting motion to continue [65-1] as to Charles Anthony Blevins (1) reset sentencing for 9:00 5/14/04 for Charles Anthony Blevins signed by Honorable Orlando L. Garcia. (cw) [Entry date 01/23/04]

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3/25/04 67 Order as to Charles Anthony Blevins reset sentencing for 9:30 5/20/04 for Charles Anthony Blevins signed by Honorable Orlando L. Garcia. (cw) [Entry date 03/26/04]

5/5/04 68 Motion by Charles Anthony Blevins for continuance of sentencing (cw) [Entry date 05/06/04]

5/6/04 69 Order as to Charles Anthony Blevins granting motion for continuance of sentencing [68-1] as to Charles Anthony Blevins (1) reset sentencing for 9:30 8/26/04 for Charles Anthony Blevins signed by Honorable Orlando L. Garcia (cw) [Entry date 05/07/04]

8/26/04 70 Motion by USA as to Charles Anthony Blevins to convert assets previously targeted for forfeiture to be applied to restitution (tr) [Entry date 08/27/04]

8/26/04 71 Order granting motion to convert assets previously targeted for forfeiture to be applied to restitution [70-1] as to Charles Anthony Blevins (1) signed by Honorable Orlando L. Garcia (tr) [Entry date 08/27/04]

8/26/04 -- Sentencing Charles Anthony Blevins (1) count(s) 1ss held 12 months and one day imprisonment, 3 years supervised release, no fine, \$100 special assessment, \$112,772.59 restitution. (rg1) [Entry date 08/30/04]

8/26/04 72 Minutes of proceedings for Sentencing conducted on 08/26/04 as to Charles Anthony Blevins by Judge Garcia. Court Reporter: West (rg1) [Entry date 08/30/04]

8/26/04 -- Dismissed count on motion by the Govt Charles Anthony Blevins (1) count(s) 1s-13s, 1-13, 2ss-13ss, 14ss-20ss, 14s-20s (rg1) [Entry date 09/14/04]

10/1/04 73 Judgment and Commitment as to Charles Anthony Blevins (1) count(s) 1ss (Pages: 6) signed by Honorable Orlando L. Garcia (rg1) [Entry date 10/04/04]

10/1/04 -- SEALED PSI PLACED IN VAULT as to Charles Anthony Blevins (rg1) [Entry date 10/04/04]

2/16/05 74 Advisory to the court filed by U.S. Marshal as to Charles Anthony Blevins (kc1) [Entry date 02/18/05]

3/7/05 75 Report and Advisory to the court by U.S. Marshal filed as to Charles Anthony Blevins (tr) [Entry date 03/08/05]

3/7/05 76 Report and Advisory to the court by U.S. Marshal filed as to Charles Anthony Blevins (tr) [Entry date 03/08/05]

3/7/05 77 Report and Advisory to the court by U.S. Marshal filed as to Charles Anthony Blevins (tr) [Entry date 03/08/05]

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t and Advisory to the court by U.S. Marshal filed as
to Charles Anthony Blevins (tr) [Entry date 03/08/05]

3/7/05 79 Report and Advisory to the court by U.S. Marshal filed as
to Charles Anthony Blevins (tr) [Entry date 03/08/05]

12/19/05 80 Transfer of Probation Jurisdiction to Middle District of
Alabama as to Charles Anthony Blevins signed by Honorable
Orlando L. Garcia (rf) [Entry date 01/12/06]